



## SUPREME COURT OF BRITISH COLUMBIA

**Effective Date:** 2015/08/01

**Number:** PD - 47

**Title:**

### Practice Direction

### Model Orders

#### Summary

This Practice Direction directs the use of model forms of order for a variety of applications. The purpose of the model forms of order is to focus the attention of the parties and the Court on the issues in dispute in a particular proceeding.

#### Direction

- 1) The following practice directions are rescinded:
  - a) PD - 30 - *Model Receivership Order* (June 30, 2011)
  - b) PD - 31 - *Model Order for Seizure and Safekeeping of Evidence* (September 15, 2011)
  - c) PD - 39 - *Model Discharge Order* (January 1, 2013)
  - d) PD - 40 - *Model Approval and Vesting Order* (January 1, 2013)
  - e) PD - 45 - *Model Orders - Companies' Creditors Arrangement Act* (March 9, 2015)
  - f) PD - 46 - *Model Order for Preservation of Assets* (May 13, 2015)

#### Model Orders

- 2) This Practice Direction prescribes the use of model forms of order for various types of applications.

### **Current Model Orders**

3) The current prescribed model orders are posted on the court's website at the following link:

[Supreme Court Model Orders](#)

4) The court may

- a) issue new model orders;
- b) amend the terms of existing model orders; or
- c) rescind previously issued model orders.

5) If the Court issues new model orders, amends existing model orders or rescinds any model orders, the Court will post an announcement on its website advising of the change.

### **Model Form of Order Does Not Determine Entitlement to Relief Sought**

6) The model form of order is not determinative of the applicant's right to the relief provided in the form of the model order. The applicant must satisfy the Court that the relief provided in the model form of order is appropriate.

### **Relief Other Than the Model Form Of Order**

7) If the applicant seeks relief that is different from that provided in the model form of order, the applicant must:

- a) identify the difference by providing a black line copy of the order sought as compared to the model order and
- b) explain to the Court the basis upon which it should grant relief on terms different from those provided in the model order.

Chief Justice C. E. Hinkson